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REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)
TUC920010067US1

In re Application of: ROBERT GEORGE EMBERTY

Application No.: 09/898,886

Filed: JULY 3, 2001

AUTOMATED HANDLING AND INTERFACE MECHANISM FOR LIBRARY OF DISK DRIVE CARRIERS
For:

The owner*, IBM CORPORATION, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,537,013 B2 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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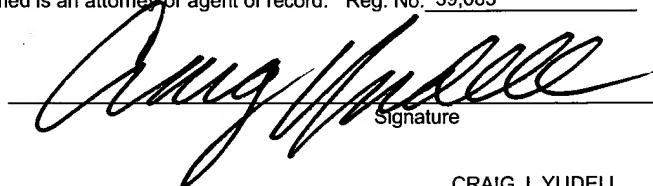
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2. The undersigned is an attorney or agent of record. Reg. No. 39,083



Signature

JANUARY 7, 2005

Date

CRAIG J. YUDELL
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Terminal disclaimer fee under 37 CFR 1.20(d) included.

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